

## Message Text

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ORIGIN L-02

INFO OCT-01 EUR-12 ISO-00 EB-07 AID-05 CEA-01 CIAE-00

COME-00 EA-10 FRB-01 INR-07 IO-10 NEA-09 NSAE-00

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DRAFTED BY L/EB:FKWILLIS:LMS

APPROVED BY L/EB:FKWILLIS

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FM SECSTATE WASHDC

TO USMISSION OECD PARIS PRIORITY

UNCLAS STATE 078471

EO11652: N/A

TAGS: EFIN, OECD

SUBJ: EXECUTIVE COMMITTEE MEETING ON UN LINER CODE OF  
CONDUCT

REF: GERVERS/WILLIS LETTER

FOR JOHN GERVERS

1. WE HAVE NO PROBLEM WITH UK DRAFT PRESENTATION, AND  
YOU MAY SUPPORT GENERAL LINES OF AMBASSADOR GALLAGHER'S  
INTERVENTION, CONSISTENT WITH PAST INSTRUCTIONS ON  
COMPATIBILITY, WHICH CONTINUE TO STAND, AND OPERATING  
WITHIN CONSENSUS OF LIKE-MINDED COUNTRIES.

2. WE CONTINUE TO FEEL THAT REFERRAL OF QUESTION OF  
COMPATIBILITY TO AN AD HOC GROUP OF LAWYERS WOULD NOT  
ADVANCE ISSUE VERY MUCH, BUT SIMPLY PERPETUATE EXISTING  
DIVISIONS, IN PRETTY MUCH A REHASH OF OLD GROUND COVERED  
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IN THE SUBSTANTIAL OECD CONSIDERATION OF THE SUBJECT.

HOWEVER, REFERRAL TO UNCTAD OR UN LEGAL STAFF OF  
SELECTED QUESTIONS (E.G., DOES THE UN CODE IMPOSE BINDING  
COMMITMENTS ON CONTRACTING PARTIES?; WHAT IS THE NATURE  
OF THE COMMITMENT ON CARGO PREFERENCE?; WHAT IS THE MEAN-  
ING OF ARTICLE 47?), WHICH WOULD EITHER EXPLODE LDC  
ASSERTIONS AS TO THE MEANING OF THE UN CODE AND THEREBY  
DILUTE ITS IMPACT, OR (MORE LIKELY) CONTRADICT ALTOGETHER

THE VIEWS OF THE OECD MEMBERS WHO CLAIM COMPATIBILITY  
OF THE TWO INSTRUMENTS, PUTS US, AS WE SEE IT, IN A  
"CAN'T LOSE" POSITION.

3. RE PARA. 7 OF PROPOSED UK INTERVENTION, WE WOULD  
WANT ALTERNATIVE B, NOT REPEAT NOT, ALTERNATIVE A.  
PROBLEM WITH ALTERNATIVE A IS THAT IT IMPLIES THAT SOME  
OECD COUNTRIES WILL ADHERE TO UN CODE, AND CARRIES  
IMPLICATION THAT OTHER OECD COUNTRIES RECOGNIZE AND  
ACQUIESE IN THIS. INGERSOLL

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 07 APR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
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**Disposition Reason:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** FKWILLIS:LMS  
**Enclosure:** n/a  
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**Film Number:** D750120-1005  
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